

California Regional Water Quality Control Board
North Coast Region

ORDER NO. R1-2004-0016

Categorical Waiver
And
General Waste Discharge Requirements
For
Discharges Related to Timber Harvest Activities
On Non-Federal Lands in the
North Coast Region

The California Regional Water Quality Control Board, North Coast Region, (hereinafter Regional Board) finds that:

1. California Water Code (CWC) Section 13260(a) requires that any person discharging waste or proposing to discharge waste within any region that could affect the quality of the waters of the state, other than into a community sewer system, shall file with the appropriate regional board a report of waste discharge (ROWD) containing such information and data as may be required by the Regional Board.
2. The Regional Board has a statutory obligation to prescribe waste discharge requirements except where the Regional Board finds that a waiver of waste discharge requirements for a specific type of discharge is in the public interest pursuant to CWC Section 13269.
3. CWC Section 13269 provides that any such waiver of waste discharge requirements shall be conditional, enforceable and may be terminated at any time by the Regional Board.
4. The Regional Board, in accordance with CWC Section 13269, waived waste discharge requirements for timber harvest activities in 1987 as set forth in Regional Board Resolution No. 87-113.
5. Recent amendments to CWC Section 13269 (Senate Bill 390) provide that existing waivers expired effective January 1, 2003, and that new waivers of waste discharge requirements for specific types of discharges must be renewed every five years.
6. The Regional Board, in compliance with CWC section 13269, reviewed the previously issued categorical waiver for timber harvest activities (Regional Board Resolution No. 87-113) and adopted Order No. R1-2002-0109 Interim Categorical Waiver for Discharges Related to Timber Operations in the North Coast Region on December 10, 2002. Order No. R1-2002-0109 sunset on December 31, 2003, and was replaced with Order No. R1-2003-0116, which was adopted on November 5, 2003. This Order rescinds and replaces the sections of Order No. R1-2003-0116 that pertain to discharges related to timber harvest activities on non-federal lands in the North Coast Region.
7. On March 24, 2004, the Regional Board adopted Order No. R1-2004-0015, Categorical Waiver for Discharges Related to Timber Harvest Activities on Federal Lands in the North Coast Region. Order No. R1-2004-0015 rescinded sections of Order No. R1-2003-0116 that pertained to federal lands.

8. In accordance with CWC Section 13269, the waste discharges for timber harvest activities shall be regulated in the future by waivers, or individual or general waste discharge requirements.
9. The US Environmental Protection Agency may certify that the California Forest Practice Rules are Best Management Practices for timber operations on non-federal lands, at which time timber harvest activities on non-federal lands will be exempt from waste discharge requirements pursuant to the Z'berg-Nejedly Forest Practice Act section 4514.3, except as provided for in section 4514.3(b)(1)-(3).
10. This waiver shall not create a vested right and all such discharges shall be considered a privilege, as provided for in CWC 13263.
11. This Order does not apply to discharges requiring an National Pollutant Discharge Elimination System (NPDES) permit under the Clean Water Act, including, but not limited to, silvicultural point sources as defined in 40 Code of Federal Register (CFR) 122.27.
12. Pursuant to CWC Section 13269, the waivers of waste discharge requirements for the categories of waste specified herein shall not exceed five years in duration; that this action waiving the issuance of waste discharge requirements for certain specific types of discharges (a) is conditional, (b) may be terminated at any time, (c) does not permit an illegal activity, (d) does not preclude the need for permits which may be required by other local or governmental agencies, and (e) does not preclude the Regional Board from administering enforcement remedies (including civil penalties) pursuant to the CWC.
13. The Executive Officer or Regional Board may terminate the applicability of this Order to any timber harvest activities at any time when such termination is in the public interest and/or the timber harvest activities could have a significant adverse affect on the quality or beneficial uses of the waters of the state.
14. The Regional Board may determine that discharges for projects where the applicant proposes to obtain coverage under categorical waivers or general waste discharge requirements (WDRs) contained herein would be better regulated under individual waivers, individual WDRs or under other general WDRs.
15. A waiver of waste discharge requirements for a type of discharge may be superceded by the adoption by the State Water Resources Control Board or Regional Board of specific or general waiver or waste discharge requirements.
16. Discharges from timber harvest activities are produced by similar operations, involve similar types of waste, and require similar treatment standards. Therefore, some of these discharges are appropriately regulated under general WDRs rather than individual WDRs.
17. Pursuant to the Water Quality Control Plan for the North Coast Region (Basin Plan), including State Water Resources Control Board (State Water Board) Resolution No. 88-63,

the existing and potential beneficial uses of waters potentially affected by the proposed activity include:

- a. Municipal and Domestic Supply (MUN)
 - b. Agricultural Supply (AGR)
 - c. Industrial Service Supply (IND)
 - d. Navigation (NAV)
 - e. Water Contact Recreation (REC-1)
 - f. Non-contact Water Recreation (REC-2)
 - g. Cold Freshwater Habitat (COLD)
 - h. Wildlife habitat (WILD)
 - i. Rare, Threatened, or Endangered Species (RARE)
 - j. Marine Habitat (MAR)
 - k. Migration of Aquatic Organisms (MIGR)
 - l. Spawning, Reproduction, and/or Early Development (SPWN)
 - m. Shellfish Harvesting (SHELL)
 - n. Estuarine Habitat (EST)
 - o. Aquaculture (AQUA)
18. The Basin Plan contains water quality objectives developed to protect the above-listed beneficial uses of water. Economic considerations were considered as required by law during the development of these objectives. Prohibitions, provisions, and specifications contained in this Order implement these previously developed water quality objectives. Compliance with Water Quality Standards will protect the beneficial uses listed in Finding 17 above.
 19. The Regional Board, acting as the lead agency for this project under the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) (CEQA), has conducted an Initial Study in accordance with Title 14, CCR section 15063.
 20. The Regional Board staff has prepared a proposed Negative Declaration, a copy of which is attached hereto, in accordance with CEQA and the CEQA Guidelines (Title 14, CCR section 15000 et seq.). The Negative Declaration concludes that the waiver of waste discharge requirements and the general WDRs for timber harvest operations pursuant to Order No. R1-2004-0016 will not have a significant impact on the environment.
 21. Copies of the proposed Negative Declaration were transmitted to all agencies and persons known to be interested in this matter according to the applicable provisions of CEQA.
 22. The Regional Board conducted a public hearing on May 12, 2004, in Santa Rosa, California, and considered all evidence concerning this matter and adopted the Negative Declaration, a copy of which is attached hereto, and Order No. R1-2004-0016, Categorical Waiver and General Waste Discharge Requirements for Timber Harvest Activities On Non-Federal Lands in the North Coast Region.
 23. The Regional Board, based on the testimony received at the aforementioned hearing, and the Negative Declaration determine that the adoption of the waivers of waste discharge

requirements and general waste discharge requirements for timber harvest activities in accordance with Order No. R1-2004-0016 will be consistent with the Basin Plan, will be in the public interest, and will not have a significant impact on the environment.

24. The Regional Board, in accordance with CEQA and State Guidelines, determines that there will be no significant adverse environmental impacts, individually, or cumulatively from this Order provided that there is compliance with its prohibitions, provisions, criteria and conditions.
25. As provided by CWC Section 13350(a), any person may be liable for civil penalties if that person in violation of a waiver condition or waste discharge requirements, intentionally or negligently discharges waste, or causes waste to be deposited where it is discharged, into the waters of the state and creates a condition of pollution or nuisance.
26. Most water bodies in the North Coast Region are listed as impaired due to sediment (Section 303(d) of the Clean Water Act). Federal regulations require that a total maximum daily load (TMDL) be established for 303(d) listed water bodies for each pollutant of concern. TMDLs for North Coast water bodies are scheduled to be completed (Attachment 1). In the absence of TMDLs, waste discharge requirements must be established to control pollutants of concern in discharges to 303(d) listed waters. Discharges cannot cause or contribute to water quality or beneficial use impairment.
27. Effective January 1, 2004, Water Code section 13269 requires that waivers include the performance of individual, group, or watershed-based monitoring. This monitoring requirement may be waived for discharges that the Regional Board determines do not pose a significant threat to water quality. Discharges that pose a significant threat to water quality will be subject to a monitoring program as directed by the Executive Officer.

THEREFORE IT IS HEREBY ORDERED that Order No. R1-2003-0116 is hereby rescinded and that all Dischargers seeking coverage under Order No. R1-2004-0016 shall comply with the following:

SECTION I: DEFINITIONS

- A. "Timber Harvest Activities" means commercial and non-commercial activities relating to forest management, including the cutting or removal or both of timber and other solid wood forest products, including Christmas trees, as well as, but not limited to, construction, reconstruction and maintenance of roads, fuel breaks, firebreaks, watercourse crossings, landings, skid trails, or beds for the falling of trees; fire hazard abatement and fuel reduction activities; burned area rehabilitation; site preparation that involves disturbance of soil or burning of vegetation following timber harvesting activities; but excluding preparatory treemarking, surveying or roadflagging.
- B. "Discharger" means the land owner and anyone working on behalf of the land owner in the conduct of timber harvest activities on non-federal lands.
- C. "Project" means any Timber Harvest Plan, Nonindustrial Timber Management Plan, other

discretionary permits issued by the California Department of Forestry and Fire Protection (CDF) to harvest timber, including all amendments thereto that propose a change in timber harvest activities that in any way could adversely affect water quality, or any Notice of Exemption or Notice of Emergency Timber Operation accepted by CDF, or any other project, as defined by CEQA, that involves timber harvest activities provided that the project has complied with CEQA.

- D. "Water Quality Standard" means a water quality objective, prohibition, TMDL implementation plan, or other requirement contained in a water quality control plan adopted by the Regional Board and approved by the State Water Board, and plans or policies adopted by the Regional Board or State Water Board. Also included in this definition is the State Water Board Resolution No. 68-16, Statement of Policy with Respect to Maintaining High Quality Waters in California. (Excerpts of the currently applicable requirements are included in Attachment 1 to this Order; the Water Quality Standards may be revised from time to time.)
- E. "Monitoring" refers to all types of monitoring undertaken in connection with determining water quality conditions and factors that may affect water quality conditions, including but not limited to, instream water quality monitoring undertaken in connection with timber harvest activities, monitoring to identify short and long-term trends in water quality, active inspections of timber harvest activities, hillslope implementation and effectiveness monitoring, and Project completion inspections.
- F. "Waste" includes sewage and any and all other waste substances, liquid, solid, gaseous, or radioactive, associated with human habitation, or of human or animal origin, or from any producing, manufacturing, or processing operation, including waste placed within containers of whatever nature prior to, and for purposes of, disposal. Wastes specifically regulated under this Order include: earthen materials including soil, silt, sand, clay, rock; organic materials such as slash, sawdust, or bark that enter or threaten to enter into waters of the state; excess sunlight; petroleum products; and nutrients. Examples of wastes not specifically regulated under this waiver include: pesticides, hazardous materials, or human wastes.
- G. All other terms shall have the same definitions as prescribed by the California Forest Practice Rules and the Porter-Cologne Water Quality Control Act, unless specified otherwise.

Space left blank intentionally.

SECTION II: STRUCTURE OF ORDER, APPLICATION PROCEDURES AND SUBMISSION REQUIREMENTS

This section briefly explains the structure of this Order, application procedures and specifics regarding submission requirements.

This Order sets out categorical waivers (section III) and general waste discharge requirements (section IV) for timber harvest activities conducted on non-federal lands in the North Coast Region. The categorical waivers are for Projects that do not pose a significant threat to water quality. The general waste discharge requirements (General WDRs) are for Projects that pose a significant threat to water quality.

Three separate categorical waivers are set out in section III. Each waiver is delineated by a set of eligibility criteria. Section III also contains a set of conditions that apply to all three categorical waivers. The first step in seeking coverage under this Order is to determine if a given Project meets the eligibility criteria for one of the three waivers. If the Project meets the eligibility criteria for a given categorical waiver, the Discharger must comply with all the waiver conditions, starting with submittal of the application documents.

If a Project does not meet the eligibility criteria for one of the categorical waivers, that Project is then subject to the General WDRs contained in section IV. Section IV sets out discharge prohibitions, receiving water limitations and provisions. The General WDRs prohibit the discharge of Waste to waters of the state and require a waste discharge prevention plan. The waste discharge prevention plan is to identify discharge sources and the appropriate management measure(s) to address each source and to set out a time schedule to implement those management measures. Dischargers seeking coverage under the General WDRs must submit an application and a filing fee.

Section V addresses activities that were previously covered under Order No. R1-2003-0116. Section VI sets out general conditions and provisions that apply to all Projects covered by this Order (categorical waivers and General WDRs) as do the rationale for termination of coverage under this Order detailed in section VII.

Generally, the Regional Board receives approved or accepted Project documents from the CDF. These documents are part of the record for each categorical waiver or General WDRs issued. Provided the approved or accepted Project documents are received from a lead agency, the Discharger will not be required to submit a second copy to the Regional Board.

- A. To seek coverage under a categorical waiver set out in section III(A)(2) or III(A)(3), the Discharger shall file a "Certification Notice" (described below) and any addendum to the CDF approved or accepted Project document. The Certification Notice shall be signed by the Discharger and shall state that the Discharger understands and intends to comply with all Water Quality Standards and the eligibility criteria and conditions of the appropriate categorical waiver. The Certification Notice shall also indicate the type of categorical waiver (section III(A)(2) or III(A)(3)) being sought. The Discharger shall attach to the Certification Notice, an addendum to the Project document which lists and describes additional

management measures to assure compliance with all Water Quality Standards and the eligibility criteria and conditions for the categorical waiver being sought.

- B. The submission of a Certification Notice is not required for Projects qualifying for coverage under the categorical waiver set out in section III(A)(1).
- C. Unless other timeframes are specified, discharges associated with Projects that comply with the eligibility criteria, conditions, and procedures for a categorical waiver pursuant to section III(A)(1), III(A)(2) or III(A)(3) may commence no sooner than fourteen (14) days after receipt by the Regional Board of the applicable documents as described in section II(A), above. The Regional Board Executive Officer will notify the Discharger in writing if coverage under the categorical waiver is determined to be inappropriate.
- D. To seek coverage under the General WDRs set out in section IV, the Discharger shall file an application and filing fee. The application shall consist of (1) a Report of Waste Discharge Form 200, (2) the approved or accepted Project document when directed by the Executive Officer, (3) the Waste Discharge Prevention Plan (see section IV(D)), and (4) an annual fee in accordance with the attached fee schedule (Attachment 2). The application shall comply with the signatory and certification provisions contained at section IV(C)(11) and IV(C)(12), respectively.
- E. Coverage under the General WDRs shall not take effect until: (1) the Discharger's application is determined to be complete; and (2) the Discharger has received written notification from the Executive Officer or the Regional Board stating that coverage under these General WDRs is appropriate. It is anticipated that written notification will be mailed to the Discharger within thirty (30) days of receipt of the application and filing fee detailed in section II(D), above.
- F. For an approved Program Timberland Environmental Impact Report (PTEIR), the proponent of each future Program Timber Harvesting Plan (PTHP) would need to seek coverage under this Order for each new PTHP.
- G. Dischargers who fail to obtain coverage under this Order or another applicable order will be subject to enforcement under California Water Code (CWC) section 13264 and other applicable law if their Project results in an un-permitted discharge of Waste.

Space left blank intentionally.

SECTION III: WAIVER OF REPORTS OF WASTE DISCHARGE AND WASTE DISCHARGE REQUIREMENTS FOR MINOR PROJECTS ON NON-FEDERAL LANDS

Section III sets out three separate categorical waivers. Each waiver is delineated by a set of eligibility criteria. Section III also contains a set of conditions that apply to all three categorical waivers. The first step in seeking coverage under this Order is to determine if a given Project meets the eligibility criteria for one of the three waivers. If the Project meets the eligibility criteria for a given categorical waiver, the Discharger must comply with all the waiver conditions, starting with submittal of the application documents.

A. Eligibility Criteria:

1. Projects within 150 feet of existing structures (i.e., "FireSafe" treatments) that are conducted pursuant to a Notice of Exemption accepted by CDF under 14 CCR section 1038(c).
2. Projects that meet with the following criteria as clearly supported by the Project document:
 - a. No heavy equipment operations on slopes greater than 50%, or on areas with high or extreme erosion hazard ratings.
 - b. No construction of new skid trails on slopes over 40%.
 - c. No timber harvest activities within any Special Treatment Area "type a" or "type c," as defined in 14 CCR 895.1, except log hauling over existing roads not requiring reconstruction.
 - d. No timber harvest activities on slides or unstable areas.
 - e. New road construction is confined to 600 feet and a 1,000 foot limit total of road construction and reconstruction combined.
 - f. No heavy equipment use within a watercourse or lake protection zone, meadows, or wet areas, except for maintenance of existing roads, drainage facilities or structures and except for upgrading to permanent or decommissioning of roads.
 - g. No hauling on roads within a WLPZ except for existing permanent roads.
 - h. A minimum of 150 square feet of basal area must be retained for Site Class 1 and 2 timberlands and 125 square feet of basal area for Site Class 3 and 100 square feet basal area for Site Class 4 timberlands.
 - i. Timber harvesting shall not occur again in the WLPZ for a 10-year period following completion of the Project.
 - j. Within a WLPZ for Class I waters, at least 85 percent overstory canopy shall be retained within 75 feet of the watercourse or lake transition line, and at least 65 percent overstory canopy within the remainder of the WLPZ. The overstory canopy must be composed of at least 25 percent overstory conifer canopy post-harvest.
 - k. Within a WLPZ for Class II waters, at least 70 percent overstory canopy shall be retained. The overstory canopy must be composed of at least 25 percent overstory conifer canopy post-harvest.
 - l. No timber harvest activities that include, are accompanied by, or followed by post-harvest applications of pesticides.
 - m. No wet weather timber harvest activities except for maintenance of existing roads,

drainage facilities or structures and except for erosion control.

B. Conditions:

In order to obtain and maintain coverage under section III(A)(1) or III(A)(2), the Discharger shall comply with the following conditions:

1. The Discharger shall file the documents set out in section II(A) or II(B), as appropriate.
2. The Discharger shall comply with all applicable Water Quality Standards and as these may be modified from time to time pursuant to amendments to water quality control plans adopted by the Regional Board and approved by the State Water Board, and water quality control plans and policies adopted by the State Water Board.
3. The Discharger shall conduct timber harvest activities in accordance with the approved or accepted Project.
4. The Discharger shall not cause or threaten to cause pollution, contamination, or nuisance, as defined by CWC Section 13050.
5. The Discharger shall not adversely impact human health or the environment.
6. The Discharger shall comply with all general conditions and provisions set out in section VI.
7. The Discharger shall comply with a monitoring program when directed in writing by the Executive Officer.

Space left blank intentionally.

SECTION IV: GENERAL WASTE DISCHARGE REQUIREMENTS FOR PROJECTS ON NON-FEDERAL LAND

A. DISCHARGE PROHIBITIONS

1. Discharges of Waste, which are not otherwise authorized by waste discharge requirements issued by this Regional Board or the State Water Resources Control Board, to waters of the state are prohibited, except as allowed in Provisions, IV(C)(2).
2. Discharges shall not cause or threaten to cause pollution, contamination, or nuisance.
3. Discharges shall not adversely impact human health or the environment or the beneficial uses of water set out in the Basin Plan.
4. Authorization pursuant to these General WDRs does not constitute an exemption to applicable Water Quality Standards.
5. Discharges regulated by these General WDRs shall not contain a hazardous substance equal to or in excess of a reportable quantity listed in 40 CFR Part 117 and/or 40 CFR Part 302.

B. RECEIVING WATER LIMITATIONS

1. Discharges of Waste shall not violate or exceed any applicable Water Quality Standard as these may be modified from time to time pursuant to amendments to water quality control plans adopted by the Regional Board and approved by the State Water Board, and water quality control plans and policies adopted by the State Water Board.
2. The Waste Discharge Prevention Plan (WDPP) developed for Projects covered by these General WDRs shall be designed and implemented such that discharges shall not cause or contribute to a violation or an exceedance of any applicable Water Quality Standards and shall not cause or contribute to a violation of any of the prohibitions of these General WDRs.
3. Should it be determined by the Discharger or the Regional Board that discharges are causing or contributing to a violation or an exceedance of an applicable Water Quality Standard or a violation of a General WDR prohibition (above), the Discharger shall:
 - a. Implement corrective measures immediately following discovery that Water Quality Standards were exceeded or a prohibition violated, followed by notification to the Regional Board by telephone as soon as possible but no later than 48 hours after the discharge has been discovered. This notification shall be followed by a report within 14 days to the Regional Board, unless otherwise directed by the Executive Officer, describing:
 - (1) the nature and cause of the Water Quality Standard violation or exceedance or General WDR prohibition violation;

- (2) the management measure currently being implemented;
- (3) any maintenance or repair of management measures; and,
- (4) any additional management measures which will be implemented to prevent or reduce discharges that are causing or contributing to the violation or exceedance of Water Quality Standards or General WDR prohibition violation.

This report shall include an implementation schedule for corrective actions and shall describe the actions taken to reduce the discharges causing or contributing to the violation or exceedance of Water Quality Standards or General WDR prohibition violation.

- b. The Discharger shall revise its WDPP and monitoring program immediately after the report to the Regional Board to incorporate the additional management measures that have been and will be implemented, the implementation schedule, and any additional monitoring needed.
- c. Compliance with section IV(B)(2), above, shall not prevent the Regional Board from taking enforcement action under any other requirements of this Order.

C. PROVISIONS

1. Waste Discharge Prevention Plan

All Dischargers shall develop and implement a Waste Discharge Prevention Plan (WDPP) in accordance with section IV(D), below.

2. Authorized Discharges

Discharges are authorized only where they do not cause or contribute to a violation or exceedance of any Water Quality Standard and are controlled through implementation of appropriate management measures for prevention, minimization or mitigation Waste discharges.

3. Monitoring Program and Reporting Requirements

All Dischargers shall develop and implement a Monitoring Program and Reporting Plan in accordance with section IV(E).

4. Duty to Comply

The Discharger must comply with all of the conditions of these General WDRs. Any noncompliance constitutes a violation of the Porter-Cologne Water Quality Control Act and is grounds for enforcement action and/or removal from General WDR coverage.

5. Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for a Discharger in an enforcement action that it would have been

necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of these General WDRs.

6. Proper Operation and Maintenance

The Discharger shall at all times properly operate and maintain any facilities and systems which are installed or used by the Discharger to achieve compliance with the conditions of these General WDRs and with the requirements of the WDPP. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures.

7. Property Rights

These General WDRs does not convey any property rights of any sort or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor does it authorize any infringement of Federal, State, or local laws or regulations.

8. Duty to Provide Information

Upon written request by the Executive Officer, the Discharger shall furnish the Regional Board, within a reasonable time, any requested information to determine compliance with these General WDRs. The Discharger shall also furnish, upon request, copies of records required to be kept by these General WDRs.

9. Signatory Requirements

a. All applications, Notice of Terminations, WDPPs, certifications, and reports prepared in accordance with this Order submitted to the Regional Board shall be signed as follows:

- (1) For a corporation: by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: (a) a president, secretary, treasurer, or vice president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or (b) the manager of the timber harvest activity if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;
- (2) For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or
- (3) For a municipality, State, Federal, or other public agency: by either a principal executive officer, ranking elected official, or duly authorized representative. The principal executive officer of a Federal agency includes the chief executive officer of the agency or the senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional

Administrator of United State Environment Protection Agency).

- b. All WDPPs, reports, certifications, or other information required by the General WDRs and/or requested by the Regional Board, State Water Board, or the local storm water management agency shall be signed by a person described above or by a duly authorized representative. A person is a duly authorized representative if:
 - (1) The authorization is made in writing by a person described above and retained as part of the WDPP; or
 - (2) The authorization specifies either an individual or a position having responsibility for the overall operation of the construction activity, such as the position of manager, operator, superintendent, or position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position).
- c. If an authorization is no longer accurate because a different individual or position has responsibility for the overall operation of the timber harvest activity, a new authorization must be attached to the WDPP prior to submittal of any reports, information, or certifications to be signed by the authorized representative.

10. Certification

Any person signing documents under section IV(C)(9) above, shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, to the best of my knowledge and belief, the information submitted is, true, accurate, and complete.

I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

11. Anticipated Noncompliance

The Discharger will give advance written notice to the Regional Board of any planned changes in the Project which may result in noncompliance with General WDR requirements.

12. Severability

The provisions of these General WDRs are severable; and, if any provision of these General WDRs or the application of any provision of these General WDRs to any

circumstance is held invalid, the application of such provision to other circumstances and the remainder of these General WDRs shall not be affected thereby.

13. Reopener Clause

These General WDRs may be modified, revoked and reissued, or terminated for cause.

14. Availability

A copy of these General WDRs, the WDPP and Monitoring Program shall be provided to appropriate operating personnel, including, but not limited to, Registered Professional Foresters, Licensed Timber Operators and monitoring staff.

15. Transfers

Enrollment in these General WDRs are not transferable. A new owner of an ongoing Project must submit an application in accordance with the requirements of these General WDRs to be authorized to discharge under these General WDRs. An owner who sells property covered by these General WDRs shall inform the new owner of the duty to file an application and shall provide the new owner with a copy of these General WDRs.

D. WASTE DISCHARGER PREVENTION PLAN

1. Objectives

A Waste Discharge Prevention Plan (WDPP) shall be developed and implemented to address the specific circumstances for each Project covered by these General WDRs. The WDPP shall be certified in accordance with the signatory requirements of sections IV(C)(9) and IV(C)(10). The WDPP shall be developed and amended or revised, when necessary, to meet the following objectives:

- a. Within the Project area, identify all Waste discharge sources and natural sources of earthen materials that may affect water quality.
- b. Identify, construct, implement and maintain management measures to prevent and/or minimize Waste discharges from the identified sources in the Project area.
- c. Where Waste discharges can not be prevented or minimized, mitigation of natural sources of earthen materials will be required to offset the Waste discharges.
- d. Develop and implement a time schedule to construct and implement the identified management measures to prevent and/or minimize Waste discharges from the identified sources and to mitigate natural sources if necessary.
- e. Develop a maintenance schedule to maintain the management measures during and after the timber harvest activities are completed (post-timber harvest management measures).

2. Source Identification

a. Existing Source Identification (Waste and natural sources)

The WDPP shall identify all existing Waste discharge sources which are adding or are likely to add Waste to storm water discharges, to receiving waters or which may result in Waste discharges from the Project site.

The WDPP shall identify all natural sources which are adding or are likely to add earthen materials to storm water discharges, to receiving waters or which may result in discharges from the Project site.

These sources include, but are not limited to, failing or failed watercourse crossings, road failures, road surfaces, unstable features discharging to or near watercourses, unstable watercourse banks, soil stockpiles, storage of Waste, vehicle and equipment storage and service areas, skid trails, landings or any other location discharging Waste or earthen materials.

The WDPP shall contain a narrative description for each of the Waste sources and natural sources identified above. The description shall include a quantitative estimate (a number) of the discharge or potential discharge, the time frame of the discharge or potential discharge and the proximity to a watercourse. The WDPP shall also contain a site map that depicts the location of each identified source.

The derivation of the quantitative estimates shall be included in the WDPP. The quantitative estimates shall be completed using methods or models of demonstrated reliability in predicting soil loss, erosion and/or sediment generation.

Discharges originating from off-site which flow across or through the Project area that may contain Waste or natural sources of earthen material should be identified as well.

b. Potential Sources

The WDPP shall identify all potential Waste discharge sources which are likely to add Waste to storm water discharges, to receiving waters or which may result in Waste discharges from the Project site.

These sources include, but are not limited to, harvest units, activities on or near unstable areas, watercourse crossings, roads, skid trails, landings, canopy removal within a watercourse and lake protection zone, unstable watercourse banks, proposed soil stockpiles, proposed storage of Waste, proposed vehicle and equipment storage and service areas, or any other location with the potential to discharge Waste.

The WDPP shall contain a narrative description for each of the Waste sources identified above. The description shall include a quantitative estimate (a number) of

the discharge or potential discharge, the time frame of the discharge or potential discharge and the proximity to a watercourse. The WDPP shall also contain a site map that depicts the location of each identified source.

The derivation of the quantitative estimates shall be included in the WDPP. The quantitative estimates shall be completed using methods or models of demonstrated reliability in predicting soil loss, erosion and/or sediment generation.

c. Additional Information

The WDPP shall include the following information:

1. Linear feet of watercourses by classification;
2. Road density by planning watershed;
3. Watercourse crossings not identified in section IV(D)(2)(a) or (b).

The WDPP shall include an inventory of all materials used and activities to be performed during the Project that have the potential to contribute to adversely affecting water quality including increasing watercourse temperature.

3. Management Measure Identification

- a. The WDPP shall contain a narrative description of pre-Project control practices (if any) to reduce earthen material and other Waste discharges.
- b. The WDPP shall contain a narrative description of all management measures designed to maximize the prevention of Waste discharges to storm water, to receiving waters and/or from the Project site, including, but not limited to, adjustments to the Project as necessary and appropriate.
- c. The WDPP shall contain a narrative description of all management measures designed to minimize Waste discharges to storm water, to receiving waters and/or from the Project site.
- d. The WDPP shall contain a narrative description of the management measures that will protect operational or proposed storm water conveyance facilities or receiving waters from Waste discharges. The WDPP shall show the drainage patterns into each storm water conveyance facility or receiving water.
- e. The WDPP shall contain a narrative description of the management measures for control of discharges from Waste handling and disposal areas and methods of on-site storage and disposal of materials and Waste. Describe the management measures designed to minimize or eliminate the exposure of storm water to materials, equipment, vehicles, Waste storage areas, or service areas. The management measures described shall be in compliance with Federal, State, and local laws, regulations, and ordinances.

- f. The WDPP shall contain a narrative description of all post-timber harvest management measures for the Project, and show the location of each management measure on the map. (Post-timber harvest management measures consist of temporary and permanent features designed to minimize Waste discharges, including sediment and excess sunlight, from the site after timber harvest activities have been completed.) Also, describe the agency or parties to be the responsible party for long-term maintenance of these management measures.
- g. In addition to the narrative description of the selected management measure, the WDPP shall contain the basis or justification for the selection of each management measure.

4. Waste Discharge Prevention

Project sites may be discharge Waste for several years while the forest regenerates. Thus, there is potential for significant Waste discharge from timber harvest sites to surface waters. Proper planning and erosion prevention or soil stabilization management measures are key components to retain earthen material and other Wastes on the Project site. One of the most efficient ways to address erosion prevention is to limit disturbance, preserve existing vegetation where feasible, and to stabilize and revegetate exposed areas as soon as possible after land disturbing activities.

To the extent feasible, the Discharger shall plan the Project to prevent Waste discharges, including, but not limited to, silviculture methods, road alignment, yarding methods, tractor operations and timing of timber harvest activities.

Until permanent vegetation is established, soil cover is the most cost-effective and expeditious method to protect soil particles from detachment and transport by rainfall. As such, where soil disturbance activities are unavoidable, the Discharger shall implement erosion prevention or soil stabilization management measures on all exposed areas prior to the wet weather period. The Discharger shall consider measures such as: covering with slash, mulch, seeding, vegetation, soil stabilizers, binders, fiber rolls or blankets, and a variety of other measures.

The WDPP shall contain a narrative description of all management measures proposed to be implemented to divert off-site drainage around or through the disturbed areas of the Project. Runoff from off-site areas should be prevented from flowing through areas that have been disturbed by the Project unless appropriate conveyance systems are in place. The amount of anticipated storm water runoff must be considered to determine the appropriateness of the management measures chosen. Calculations for runoff from offsite areas shall be included in the WDPP.

The Discharger must consider the full range of erosion prevention management measures. The Discharger must consider any additional site-specific and seasonal conditions when selecting and implementing appropriate management measures. The above listed erosion prevention measures are examples of what should be considered and are not exclusive of new or innovative approaches currently available or being developed, including

avoidance strategies, such as watercourse buffers, silvicultural prescriptions, and yarding methods, as the first consideration.

- a. The WDPP shall include a description of the management measures, both planning and prevention measures, to prevent Waste discharges from the Project site. Waste discharge sources include existing and potential sources.
- b. The WDPP shall include:
 1. An outline of the areas of vegetative soil cover or native vegetation onsite which will remain undisturbed during the Project.
 2. An outline of all areas of soil disturbance which will be stabilized prior to the wet weather period by temporary or permanent erosion control measures, such as seeding, slash, mulch, or blankets, etc.
 3. An outline of the areas of soil disturbance which will be left exposed during any part of the wet weather period, representing areas of potential soil erosion where minimization management measures are required to be used during the Project.
- c. To the extent feasible, all disturbed areas of the Project must be stabilized. Final stabilization for the purposes of submitting a Notice of Termination is satisfied when:
 1. All soil disturbing activities are completed and either of the two following criteria are met:
 2. A uniform vegetative cover with 70 percent surface coverage has been established, or :
 3. Equivalent stabilization measures have been employed. These measures include the use of such management measures as blankets, reinforced channel liners, soil cement, fiber matrices, geotextiles, or other erosion resistant soil coverings or treatments.

5. Waste Discharge Minimization

Once a Waste becomes mobilized, either through contact with rainfall or other mechanisms, control or treatment is the last resort to contain such Wastes prior to being discharged to receiving waters.

The WDPP shall include a narrative description and illustration of management measures that will be implemented to minimize, control or treat Waste discharges from the Project site.

The Discharger shall consider Waste discharge control management measures at appropriate locations along the site perimeter and at all operational internal inlets to the storm drain system at all times during the wet weather period. Waste discharge control

practices may include filtration devices and barriers (such as fiber rolls, silt fence, straw bale barriers, and gravel inlet filters) and/or settling devices (such as catchment basins). Effective filtration devices, barriers, and settling devices that are selected shall be installed and maintained properly.

These are the most basic measures to minimize, control or treat Waste from leaving the Project site and moving into receiving waters. Limited exemptions may be authorized by the Regional Board when work on active areas precludes the use of Waste discharge control management measures temporarily. Under these conditions, the WDPP must describe a plan to establish perimeter controls prior to the onset of rain.

If the Discharger chooses to rely on catchment basins for treatment purposes, sediment basins shall, at a minimum, be designed and maintained using standard practices. A sediment basin shall have a means for dewatering within 7 days following a storm event. The outflow from a sediment basin that discharges into a natural drainage shall be provided with outlet protection to prevent erosion and scour of the embankment and channel.

The Discharger must consider any additional site-specific and seasonal conditions when selecting and designing minimization, control or treatment management measures. The above listed control measures are examples of what should be considered and are not exclusive of new or innovative approaches currently available or being developed.

6. Mitigation

If the Discharger can not reasonably and feasibly prevent and/or minimize all Waste discharges, the Discharger shall mitigate those remaining Waste discharges by the preventing and/or minimizing natural source discharges in a ratio (natural source discharge to Waste discharge) that accounts for the uncertainty in modeling, effectiveness and time between discharge and mitigation effectiveness. Waste discharges under consideration to be offset shall not have an immediate adverse impact on the environment. If mitigation is proposed, the Discharger shall include a mitigation offset plan in the WDPP. The mitigation offset plan shall include the following:

- a. A site map depicting the location of each natural source proposed to be mitigated, the associated watercourse and the watercourse classification ;
- b. Volume estimates of total potential discharge and the amount previously delivered from each natural source and the failure history of each natural source;
- c. A narrative description and diagrams (if needed) of the proposed mitigation measures and the volume estimate to be mitigated for each natural source;
- d. the natural source shall be within the same Calwater planning watershed as the Project;

7. Implementation Schedule

- a. The WDPP shall include a timber harvest activity schedule which describes all major activities, including, but not limited to, road, skid trail and/or landing construction, re-construction or abandonment, harvest activities, or site preparation.
- b. The WDPP shall include a proposed schedule for the construction, implementation and maintenance of the Waste discharge prevention management measures required above.
- c. The WDPP shall include a proposed schedule for the construction, implementation and maintenance of the Waste discharge minimization management measures required above.
- d. The WDPP shall include a proposed schedule for the construction, implementation and maintenance of the mitigation offset plan required above.

8. Non-Storm Water Management

Describe all non-storm water discharges (dust control, road watering, de-watering at watercourse crossings, water drafting overflow, etc.) to receiving waters that are proposed for the timber harvest project. Non-storm water discharges should be eliminated or reduced to the extent feasible. Include the locations of such discharges and descriptions of all management measures designed for the control of pollutants in such discharges. Onetime discharges shall be monitored during the time that such discharges are occurring. A qualified person should be assigned the responsibility for ensuring that no materials other than storm water are discharged in quantities which will have an adverse effect on receiving waters or storm drain systems and the name and contact number of that person should be included in the WDPP document.

9. Post-Project Waste Management

The WDPP shall include descriptions of the management measures to reduce Waste discharges after all timber harvest activities have been completed at the site. Post-harvest management measures include the minimization of land disturbance, road maintenance, decommissioning or restoration, the minimization of compacted surfaces, treatment of storm water runoff using infiltration, detention/retention, biofilter management measures, and appropriately designed and constructed energy dissipation devices. The Discharger must consider site-specific and seasonal conditions when designing the control practices. Operation and maintenance of control practices after timber harvest activities are completed shall be addressed, including short-and long-term funding sources and the responsible party.

10. Maintenance, Inspection, and Repair

The WDPP shall include a narrative discussion of the program to inspect and maintain all the identified management measures throughout the entire duration of the Project. A qualified person will be assigned the responsibility to conduct inspections.

Projects including timber harvest activities during the wet weather period shall conduct inspections before and after storm events and once each 24-hour period during storm events lasting more than 48 hours to identify management measure effectiveness and implement repairs or design changes as soon as feasible depending upon field conditions.

Projects not including timber harvest activities during the wet weather period shall conduct inspections immediately before and immediately after the wet weather period.

Equipment, materials, and workers must be available for rapid response to failures and emergencies. All corrective maintenance to management measures shall be performed as soon as possible after the conclusion of each storm depending upon worker safety.

The WDPP shall include a site map that depicts the inspection locations to be visited before, during and after storm events. The inspection program shall be consistent with section E: Monitoring Program and Reporting Requirements.

11. WDPP Schedule

- a. For Projects commencing on or after adoption of these General WDRs, the WDPP shall be developed prior to the start of the Project in accordance with this section and shall be implemented concurrently with commencement of the Project.
- b. For ongoing Projects, the WDPP shall be developed within 90 days of adoption of these General WDRs.

12. Availability

The WDPP shall remain on the Project site in the possession of appropriate operating personnel while the site is under operations during working hours, commencing with the initial timber harvest activity and ending with termination of coverage under the General WDRs.

13. Required Changes

- a. The Discharger shall amend the WDPP whenever there is a change in the Project which may adversely affect receiving waters, storm water or ground waters. The WDPP shall also be amended if the Discharger violates any condition of these General WDRs or has not achieved the general objective of preventing, minimizing or mitigating Waste discharges.
- b. The Regional Board or Executive Officer may require the Discharger to amend the WDPP for cause.

14. Compliance Responsibility

The WDPP shall list the name and telephone number of the qualified person(s) who have been assigned responsibility for the management measure inspections; and the qualified

person(s) assigned responsibility to ensure full compliance with the General WDRs and implementation of all elements of the WDPP, including the preparation of the annual compliance evaluation and the elimination of all unauthorized discharges.

15. Training

Individuals responsible for WDPP preparation, implementation, and permit compliance shall be appropriately trained, and the WDPP shall document all training. This includes those personnel responsible for installation, inspection, maintenance, and repair of management measures. Those responsible for overseeing, revising, and amending the WDPP shall also document their training. Training should be both formal and informal and should occur on an ongoing basis.

16. List of Contractors/Subcontractors

The WDPP shall include a list of names of all contractors, (or subcontractors) and individuals responsible for implementation of the WDPP. This list should include telephone numbers and addresses. Specific areas of responsibility of each subcontractor and emergency contact numbers should also be included.

17. Public Access

The WDPP is considered a report that shall be available to the public by the Regional Board.

18. Preparer Certification

The WDPP and each amendment shall be signed by the Discharger or his representative pursuant to section IV(C)(9) Signatory Requirements and section IV(C)(10) Certification and include the date of initial preparation and the date of each amendment.

E. MONITORING PROGRAM AND REPORTING REQUIREMENTS

1. Implementation

The requirements of this section shall be implemented at the time of commencement of the Project (see also section IV(D)(11), WDPP Schedule). The Discharger is responsible for implementing these requirements until coverage under this Order is terminated or recinded.

2. Site Inspections

Qualified personnel shall conduct inspections of the Project site prior to anticipated storm events, during extended storm events, and after actual storm events, in accordance with section IV(D)(10), to identify areas contributing to a Waste discharge associated with timber harvest activities.

The name(s) and contact number(s) of the assigned inspection personnel shall be listed in the WDPP. Pre-storm inspections are to ensure that management measures are properly installed and maintained; storm event inspections are to assure and assess management measure performance; post-storm inspections are to assure that the management measures have functioned adequately. Management measures shall be evaluated for adequacy and proper implementation and whether additional management measures are required in accordance with the terms of these General WDRs.

For each inspection required above, the Discharger shall complete an inspection checklist. At a minimum, an inspection checklist shall include:

- a. Inspection date.
- b. Weather information: best estimate of beginning of storm event, duration of event, time elapsed since last storm, and approximate amount of rainfall (inches).
- c. A description of any inadequate management measures.
- d. If it is possible to safely access during inclement weather (inappropriate location for caveat on inclement weather - I thought it was somewhere else in the order - track it down), list observations of all management measures: erosion controls, sediment controls, chemical and Waste controls, and non-storm water controls. Otherwise, list result of visual inspection at relevant outfall, discharge point, or downstream location and projected required maintenance activities.
- e. Corrective actions required, including any changes to WDPP necessary and implementation dates.
- f. Inspectors name, title, and signature.
- g. Identify management measure effectiveness.

3. Compliance Certification

Each Discharger or qualified assigned personnel listed by name and contact number in the WDPP must certify annually that the Project is in compliance with the requirements of these General WDRs and the WDPP. This Compliance Certification shall be based upon the site inspections required in section IV(E)(2). The Compliance Certification must be completed by July 1 of each year and submitted to the Regional Board by August 1 of each year.

4. Noncompliance Reporting

Dischargers who cannot certify compliance, in accordance with section IV(E)(3), above, and/or who have had other instances of noncompliance not previously reported pursuant to section IV(B)(3), shall notify the appropriate Regional Board within 30 days of identification of noncompliance. Corrective measures should be implemented

immediately following discovery that Water Quality Standards were violated or exceeded. The notifications shall identify the noncompliance event, including an initial assessment of any impact caused by the event; describe the actions necessary to achieve compliance; and include a time schedule subject to the modifications by the Regional Board indicating when compliance will be achieved.

5. Records

Records of all inspections, compliance certifications, and noncompliance reporting must be retained for a period of at least three years from the date the report was generated. Dischargers are not required to submit the inspection records at this time. However, inspection records shall be submitted when requested in writing by the Executive Officer.

6. Monitoring Program

When directed, in writing, by the Executive Officer, the Discharger shall design and submit a water quality monitoring program to the Executive Officer for approval. Once approved, the Discharger shall implement the water quality monitoring program.

7. Required Changes

The Regional Board may require the Discharger to conduct additional site inspections, to submit reports and certifications, or perform sampling and analysis.

Space left blank intentionally.

SECTION V: ACTIVITIES WAIVED UNDER ORDER NO. R1-2003-0116

Projects that were previously waived under Order No. R1-2003-0116 can be covered under this Order by meeting one or more of the following eligibility criteria, if the Discharger submits the specified eligibility document(s) to the Regional Board, and complies with the applicable conditions, as specified below.

A. Section III(A)(1) Projects and section III(A)(2) Notice of Exemptions and Notice of Emergencies

1. Eligibility Criteria:

- a. Projects meeting the eligibility criteria set out in section III(A)(1) for a categorical waiver (i.e., "FireSafe" treatments around existing structures); or
- b. Notice of Exemptions or Notice of Emergencies meeting the eligibility criteria set out in section (III)(A)(2).

2. Conditions:

- a. Compliance with the conditions contained at section III(B)(2) through III(B)(6).
- b. Compliance with section VI(A-G) and section VII(A-F), excluding VII(E).

B. Section III(A)(2) Projects excluding Notice of Exemptions and Notice of Emergencies

1. Eligibility Criteria:

- a. Projects meeting the eligibility criteria set out in section III(A)(2) for a categorical waiver.

2. Conditions:

- a. Compliance with the conditions contained at section III(B)(1) through III(B)(6).
- b. Compliance with section VI(A-G) and section VII(A-F).

C. Section IV Projects

1. For Projects that do not meet the waiver criteria and that are required to obtain the General WDRs, the Discharger shall comply with all provisions of this Order.

SECTION VI: GENERAL CONDITIONS AND PROVISIONS

The following conditions and provisions apply to all Projects seeking coverage under this Order.

A. Order Expiration

This Order expires five years from the date of adoption.

B. CEQA Compliance

Any Project seeking coverage under this Order shall be in compliance with CEQA prior to the Executive Officer issuing, authorizing or otherwise approving coverage under this Order.

C. Inspection and Entry

The Discharger shall allow the Regional Board staff, upon the presentation of credentials and other documents as may be required by law, to:

1. Enter upon the Discharger's property at reasonable times where a Project covered by this Order is being conducted for the purposes of observing, inspecting, photographing, video taping, measuring, and/or collecting samples or other monitoring information to document compliance or non-compliance with this Order;
2. Access and copy at reasonable times any records that must be kept under the conditions of these General WDRs;
3. Inspect at reasonable times the complete Project site, including any equipment used to fulfill monitoring requirements, any off-site staging areas or material storage areas, and the erosion/sediment controls; and
4. Sample or monitor at reasonable times for the purpose of ensuring General WDRs compliance.

Regional Board staff will attempt to contact the Discharger with advanced notice of any planned entry onto the Discharger's property to inspect Projects covered by this Order. However, if such advanced notice is not successful, immediately upon entering the property, Regional Board staff will attempt to contact persons performing the timber harvest activities or other on-site representative(s) of the Discharger in order to obtain permission for each inspection, and to discuss any safety considerations. In seeking coverage under this Order, the Discharger provides advance consent for announced or unannounced access by Regional Board staff to outdoor areas as specified above. If any such consent is unreasonably withheld, the Executive Officer may terminate the applicability of the Order pursuant to section VII(A) or VII(B) of this Order.

- D. For those Projects where application of pesticides is proposed or being considered, the Discharger shall notify the Regional Board in writing at least 90 days prior to the proposed application of pesticides. The notification shall include the type of pesticide(s), method and

area of application, projected date of application, and measures that will be employed to assure compliance with applicable Water Quality Standards. Subsequent changes to the proposed application must be submitted in writing forthwith, and in no event less than 14 days before the application, unless Regional Board staff agrees in writing to a lesser notice. This Order does not authorize the application or discharge of pesticides.

- E. For an approved Nonindustrial Timber Management Plan, each future Notice of Timber Operations shall be submitted to the Regional Board fifteen (15) days prior to commencement of timber harvest activities.
- F. The Porter-Cologne Water Quality Act provides significant penalties for any person who violates a permit prohibition, limitation, or provision. Any person who violates any permit condition of this Order may be subject to a penalty thereunder.

Space left blank intentionally.

SECTION VII: TERMINATION OF COVERAGE

- A. The Executive Officer shall rescind the applicability of a categorical waiver to a specific Project if the Executive Officer makes any of the following determinations:
1. The Project does not comply with the eligibility criteria for the waiver;
 2. The Project is not in compliance with the applicable conditions of the waiver;
 3. The Project is reasonably likely to result or has resulted in a violation or exceedence of any Water Quality Standard;
 4. The Project has varied in whole or in any part from the approved Project in any way that could adversely affect water quality;
 5. Where conditions unique to the watershed or watershed segment (including but not limited to cumulative impacts, special hydrographic characteristics, or Total Maximum Daily Load standards) warrant further regulation.
- B. The Executive Officer shall rescind the applicability of the General WDRs to a specific Project if the Executive Officer makes any of the following determinations:
1. The Project does not comply with the discharge prohibitions, exceeds the receiving water limitations or does not comply with any provision of the General WDRs;
 2. The Project is reasonably likely to result or has resulted in a violation or exceedence of any Water Quality Standard;
 3. The Project has varied in whole or in any part from the approved Project in any way that could adversely affect water quality;
 4. Where conditions unique to the watershed or watershed segment (including but not limited to cumulative impacts, special hydrographic characteristics, or Total Maximum Daily Load standards) warrant further regulation.
- C. Upon receipt of a rescission notice of a categorical waiver or the General WDRs, the Discharger shall immediately cease all timber harvest activities that may result in discharges of Waste to waters of the state, other than activities necessary to control erosion. Upon notice of termination, the Discharger must file a report of Waste discharge and applicable filing fee. Timber harvest activities that may result in discharges that could affect the quality of waters of the state may commence only upon enrollment by the Executive Officer under general or watershed waste discharge requirements, the adoption by the Regional Board of an individual waiver of waste discharge requirements or individual waste discharge requirements, or in accordance with CWC Section 13264(a).
- D. The applicability of this Order to a specific Project is immediately terminated on the receipt of a notice of termination of applicability or on the effective date of either a categorical waiver of WDRs, an individual waiver of WDRs, individual WDRs, general or watershed WDRs or a NPDES permit that covers or permits the specific Project.
- E. The Discharger may terminate coverage under a categorical waiver for a completed Project by submitting, forthwith upon completion of the Project, to the Regional Board a final certification signed by the landowner certifying that: (1) the Project was conducted in conformance with the approved or accepted Project and with all applicable provisions of this

Order, and (2) discharges resulting from the Project were in compliance or are expected to comply with all requirements of applicable Water Quality Standards.

F. The Discharger may terminate coverage under these General WDRs for a completed Project by submitting to the Regional Board a Notice of Termination Form (NOT). The NOT shall be signed in accordance with section IV(C)(9) and IV(C)(10). Note that a Project is considered complete when the following conditions have been met:

1. Timber harvest activities are completed,
2. The Project site is stabilized,
3. There is no potential for Waste discharges from the Project,
4. All elements of the WDPP have been completed,
5. Earthen materials and Waste have been disposed of properly,
6. A Post-Project Waste Management plan is in place as described in the Project's WDPP.

The Executive Officer shall review the NOT and determine its appropriateness. The review may include a field inspection to verify Project completeness. The Executive Officer shall notify the Project proponent regarding approval or disapproval of the NOT.